



March 15, 2018

The Honorable Drew Perkins
President of the Senate,
Wyoming Senate,
3001 East Pershing Boulevard,
Cheyenne, Wyoming 82001

RE: Not signing SF0049/ SEA No. 0067 County zoning authority-private schools

Dear President Perkins,

No other bill in this legislative session has sparked more correspondence to the Office of the Governor than Senate File 49. From all sides, there have been pleas to pass or to veto. The arguments generally fall out between the advocates for local control and those who suggest Teton County has gone too far. There have been other comments as well suggesting that schools enjoy a special place in Wyoming by virtue of the esteem our state gives to education and that indeed, per Wyoming's Constitution, local powers derive from the state. It is fair to say comments on all sides have come from all over the state. The issues here are not simple and I dare say our people are not settled on a proper remedy.

At issue are several competing philosophical points. How far should local control go? Are the duly elected local officials ultimately more accountable to the people they serve than the legislature which is made up of many representatives answering to constituents elsewhere? Is the logic that the legislature is empowered to dictate to local government more sanguine than the idea that Washington, DC can apply the same logic to our state? Is it appropriate for any individual regardless of means to opt for the nuclear option of legislative fiat when local remedies don't work?

But what about the issue of bias? Does a community have the right to determine which sorts of businesses are allowed into it? How do individual property rights play against regulations which some may feel are overzealous? Is it correct for a community to discriminate in any way? And what about property values? To what degree are taxpayers obliged to accept additional burden?

These are precariously weighty questions which require balance. And who better to understand balance than those who live in a community? These notions augur towards local control.

But what right does a local community have to differentiate between like institutions such as a school? Does the fact that one is a public institution and the other a private one really matter if their requirements and placements are substantially similar? This augurs towards setting a consistent standard.

For some, the answer to this conundrum is a simple veto. Double down on local control. Allowing the duly elected representatives of your community to condition property rights.

For others, the answer is allowing the state to seemingly preempt local control on the basis of asserting personal prerogative. That works when the legislature is on your side, especially when that support might be strong enough to override any contravening argument.

But the issue brought to light in SF 49 is more complicated than such a superficial analysis affords. The change in statute contemplated in this bill erodes some degree of local control from all counties in Wyoming. There is no denying that. Nevertheless, the 65th Legislature wrestled with this issue ultimately blunting its impact significantly. I still do not believe this bill offers the correct solution although I recognize the uniqueness of the situation which occasioned it.

There is a lot of emotion in the comments I have read on this bill on both sides. I believe, to a degree, emotion helped to guide this bill through the legislature regardless of merit. Sadly, it seems by the time a more locally palatable solution was potentially available, the proverbial horse had already left the barn. I am disappointed because I believe it is always better when solutions can be arrived at close to home. It is a bedrock conservative value that in some ways seems to have been eroded to the chagrin of county commissions and local governments all over the state. And I am sad that the hard work of the county that struggled over the past several years to put its plan together was summarily overridden in the first few months of its implementation. It is unfortunate that some thought it might be valuable to disparage the other side of the argument. In the end, this issue is not so much about big money arrayed against liberal elites or spirituality arrayed against secularism as it is an issue of due process and respect.

I believe this bill is flawed and so I will not sign it; but, as I have done with other bills, I will take this opportunity to recommend that the legislature and local governments continue to work to find a better way to sort out the types of impasses that begat this legislation closer to home. The passage of this bill sets an unfortunate precedent and one that I believe could be corrected with some diligence, equanimity, and foresight.

I do not take this action to avoid making a decision. In my core, I believe that government is best closest to the people and when it governs least. This bill sits in the saddle between those two. Despite the potential for criticism, I do believe, after the considered work of the legislature, at heart this bill is vastly less offensive to local control than it was to begin with. The issues that came to light during its deliberation were important ones and informative to the final product which remains unfinished.

I am committed to working with the county commissions, municipalities, the legislature, and the people of Wyoming to find a better way to resolve these sorts of conflicts.

Sincerely,



Mark Gordon
Governor

cc: The Honorable Secretary of State, Edward Buchanan

The Honorable Steve Harshman, Speaker of the House

Chief Clerk, Wyoming House of Representatives

Chief Clerk, Wyoming Senate

ORIGINAL SENATE
FILE NO. SF0049

ENGROSSED

ENROLLED ACT NO. 67, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

to be constructed with appropriate materials, means and methods;

and (ii) Has capacity for fifty (50) students or more;

(iii) Is owned and operated by a not for profit entity.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)



Speaker of the House



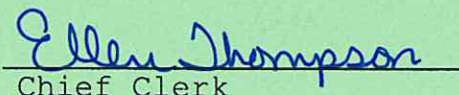
President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.


Chief Clerk

ENROLLED ACT NO. 67, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to counties; exempting private schools from county zoning authority as specified; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 18-5-201 is amended to read:

18-5-201. Authority vested in board of county commissioners; inapplicability of chapter to incorporated cities and towns; mineral resources; private schools.

(a) To promote the public health, safety, morals and general welfare of the county, each board of county commissioners may regulate and restrict the location and use of buildings and structures and the use, condition of use or occupancy of lands for residence, recreation, agriculture, industry, commerce, public use and other purposes in the unincorporated area of the county. However, nothing in W.S. 18-5-201 through 18-5-208 shall be construed to contravene any zoning authority of any incorporated city or town. ~~and No zoning resolution or plan shall prevent any use or occupancy reasonably necessary to the extraction or production of the mineral resources in or under any lands subject thereto. No zoning resolution or plan shall regulate and restrict the location and use of buildings and structures and the use, condition of use or occupancy of lands for the use of a private school as defined in W.S. 21-4-101(a)(iii) in any manner different from a public school, provided that the private school:~~

(i) Is certified by the professional engineer or architect of record for the private school as being substantially similar to school facility commission guidelines for education buildings and siting and is designed



March 15, 2018

The Honorable Drew Perkins
President of the Senate,
Wyoming Senate,
3001 East Pershing Boulevard,
Cheyenne, Wyoming 82001

RE: Not signing SF0149/ SEA No. 0077 Capitol complex oversight

Dear President Perkins,

Over the past several years, Wyoming has invested in a major renovation of our Capitol. This effort grew to extend beyond the Capitol building to include others proximate to it. It is an important and historic effort that ties the past to the future in an aesthetic that is meaningful for the people of Wyoming.

Much of the work was handled by a variety of *ad hoc* committees and task forces that were meant to augment or supersede the responsibilities of the State Building Commission (SBC) during the period of renovation. These committees are now completing their responsibilities.

SF 149 establishes a continuing committee, the Capitol Building Rehabilitation and Restoration Oversight Group, and a protocol for the legislature's Management Council and the SBC to coordinate work on the grounds and facilities in a several block area around the Capitol. The intent is to better coordinate the efforts of the executive and legislative branches in this area, to recognize the significant resource that has gone into this area, and to establish a plan for the area going forward that will better guide work and progress in this area to better showcase the value Wyoming puts on her Capitol asset.

The bill represents a good faith effort to conserve an area by giving it special consideration over and above other assets in Wyoming. Whether this bill is necessary is a matter of perspective. To some it is supercilious, to others essential. But it does establish a good process for both the executive and the legislative branches to manage and cohabitate the premises.

What is unnecessary in this bill is a soliloquy contained in Section 4 of the bill which attempts to establish legislative intent for future generations by cherry picking parts of constitutional language, out of context, to support a revisionist interpretation of the relative roles of the legislative and executive branches. What is important to remember in this section is that Wyoming's Constitution is superior to statute despite the notion as cited that "the first act of the first Legislature of the state of Wyoming conferred upon the presiding officers of the House and Senate the power to regulate "such parts of the capitol and its passages as are or may be set apart for the use of the Senate [and House] (sic) and its officers." Suggesting "the 1890 law, enacted contemporaneously with the Wyoming Constitution makes clear the authority of the Legislature to oversee..." gives this law any superior stature over any other statute is misleading.

It is a customary for legal interpretation to include a plain reading of a phrase in context to give it full meaning. And yet Section 4 offers this tantalizing snippet suggesting that Article 3, Section 12 of the Wyoming Constitution "states that the Legislature 'shall have all other powers necessary to the legislature of a free state.'"

To illustrate the full context of that phrase I quote the full text of Article 3, Section 12.

Article 3, Section 12: Rules, punishment and protection. Each house shall have power to determine the rules of its proceedings, and [to] punish its members or other persons for contempt or disorderly behavior in its presence, to protect its members against violence or offers of bribes or private solicitation, and with the concurrence of two-thirds, to expel a member, and shall have all other powers necessary to the legislature of a free state. A member expelled for corruption shall not thereafter be eligible to either house of the legislature, and punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense.

The full context of the expansive phrase "all other powers necessary to the legislature" contained by the context of the section which more particularly discusses the tools available to discipline wayward legislators. Ultimately though, Section 4 does conclude correctly by recognizing the limiting authority of the governor and treasurer under Article 3, Section 31 of the Wyoming Constitution.

RE: Not signing SF0149/ SEA No. 0077 Capitol complex oversight
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Despite the unnecessary and revisionist interpretations contained in Section 4 of this bill, it should pass into law.

Sincerely,



Mark Gordon
Governor

cc: The Honorable Secretary of State, Edward Buchanan
The Honorable Steve Harshman, Speaker of the House
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate

ENROLLED ACT NO. 77, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to state property and buildings; specifying boundaries of the state capitol complex; providing for management and operation of state property and facilities within the state capitol building and state capitol complex; transferring duties and obligations of the state capitol building rehabilitation and restoration oversight group as specified; repealing the existing advisory task force for capitol renovation; amending authority of the state building commission; making legislative findings; repealing executed provisions; specifying legislative areas; restricting alterations of the capitol building and grounds as specified; requiring review of, adoption of and modifications to the master plan for the state capitol complex; specifying severability; and providing for effective dates.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 9-5-101(b) and by creating new subsections (d) and (e), 9-5-102(a), 9-5-106(d)(i) and by creating new subsections (e) through (g) and 28-8-112 are amended to read:

9-5-101. State building commission; composition; general powers and duties; conflicts of interest.

(b) The state building commission shall promulgate rules under which the general services division has charge and control of the capitol building with respect to its ~~occupancy~~, repair and maintenance and shall collect all rents arising from the occupancy of the capitol building. ~~All rents collected under this section shall be paid into the general fund. Rules with respect to the occupancy of the capitol building shall be subject to and in accordance with W.S. 9-5-112~~ The state building commission may also promulgate

ENROLLED ACT NO. 77, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
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rules governing occupancy of the capitol building for executive department officials.

(d) The commission shall oversee the development, creation and modification of a master plan for maintenance, preservation, restoration, rehabilitation, construction and enhancement within the capitol complex. During the development, creation or modification of the capitol complex master plan the commission may consult with members of the state capitol building rehabilitation and restoration oversight group or members of management council, as applicable. The commission shall have final approval authority of the capitol complex master plan. The commission shall review all proposals to remodel or construct a building, monument or other improvement within the capitol complex for conformance with the master plan. The commission shall notify the management council of the legislature of any proposed adoption of or modifications to the master plan for the capitol complex not less than sixty (60) days prior to taking any action to adopt or modify the plan.

(e) As used in this article:

(i) "Capitol complex" means all state owned grounds and facilities within the area bounded by 26th Street to the north, Pioneer Avenue to the west, 22nd Street to the south, and Warren Avenue to the east, the Pioneer building on Pioneer Avenue and the historic Wyoming governor's mansion and grounds located at the corner of House and 21st streets, all within the city of Cheyenne, Wyoming;

(ii) "Commission" means the state building commission.

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9-5-102. State building commission; authority to buy and lease property; acceptance of donations, grants and devises.

(a) In order to obtain building sites for additional office space and state uses and to insure the proper keeping of valuable state records and provide for the expansion of functions of the state, the general services division, with the approval of the state building commission, may buy, take options to buy and lease property to be used for building sites for future state office buildings. The general services division, with the approval of the commission may lease acquired property until it is needed. The general services division, with the approval of the state building commission, in cooperation with the department of workforce services, may acquire lands and buildings in the name of the state of Wyoming by purchase, lease agreement, gift or devise to provide suitable quarters for the administration of the Wyoming Employment Security Law and to develop improvements, maintain and repair the lands and buildings. The commission shall not approve the exercise of any authority under this section for any property which is or would be within the boundaries of the capitol complex which is inconsistent with the master plan for the capitol complex without providing at least sixty (60) days' notice of the proposed action to the management council of the legislature.

9-5-106. State building commission; powers relative to use of state buildings; rules authorized; exceptions.

(d) No rule promulgated under W.S. 9-5-101 through 9-5-108 shall apply to facilities occupied by:

(i) The legislature or the members thereof unless the legislative management council has specifically concurred

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therein. For purposes of this paragraph "facilities occupied by the legislature" shall include those rooms and areas specified in W.S. 28-8-112(a)(i) through (vi) and other facilities specified by law; or

(e) No architectural or structural alteration to the capitol building or its grounds shall be made without approval of the state building commission. Except for emergency maintenance as provided for in this subsection, the state building commission shall not approve of any architectural or structural alteration to the capitol building or grounds without providing notice to the management council of the legislature and without a legislative session convening and adjourning after notice was provided to the management council. Routine maintenance and repair necessary to keep the capitol building in safe and good working order, including janitorial, grounds keeping and maintenance tasks done on a routine basis, shall be conducted in a manner not to alter the capitol building structurally or architecturally to the extent practicable. Major maintenance and repair shall also be conducted in a manner not to alter the capitol building structurally or architecturally to the extent practicable. Emergency maintenance which would structurally or architecturally alter the capitol building shall only be undertaken prior to a legislative session convening and adjourning after notification under this subsection if the maintenance is immediately necessary to keep the capitol building in good working order or to prevent harm to the building. The state building commission shall provide prior notification to the management council of the legislature of any planned major maintenance activity and shall immediately notify the management council of any emergency major maintenance activity.

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(f) In managing areas of the capitol building and grounds and the extension from the capitol building to and under the Herschler building, the state building commission and the management council of the legislature shall enter into memoranda of understanding and other agreements as they determine appropriate to provide effective, comprehensive and coordinated visitor, civic education and other services to the public. The agreements shall also provide for:

(i) Maintenance and preservation of the capitol building and grounds and the extension by the general services division subject to direction by the commission;

(ii) Management of meeting rooms and common spaces with a goal of maximizing authorized uses. An elected statewide official's request to schedule a meeting room under control of the legislature shall be accommodated so long as the meeting room was not previously scheduled for use by the legislature or a committee of the legislature;

(iii) Coordination of programs for exhibits, artwork, art collections, statuary and furnishings to reflect and maintain the historic aspects of the capitol building.

(g) The following definitions shall apply to this section, subject to further definition by rule of the commission, provided the rules shall not be less restrictive than the following:

(i) "Architectural alteration" of a building means a material modification to the finish or architectural details of a floor, wall or ceiling, including casing, trim and other attachments thereto, and excluding repair or replacement which attempts to retain existing finishes and architectural details;

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(ii) "Structural alteration" of a building means any change in the supporting members of a building, such as bearing walls, columns, beams and girders, or a material change in the dimensions or configurations of a floor, ceiling or wall;

(iii) "Architectural or structural alteration" of grounds shall include material modification of contours or placement or removal of pathways or statues.

28-8-112. Space in state capitol building and annexation.

(a) ~~Adequate space~~—The following areas in the state capitol building, including the extension from the capitol building to and under the Herschler building and within the Herschler building, shall be rooms and halls provided for the conduct of activities of the legislature, its committees, the legislative service office and necessary legislative staff, and the management council; subject to and in accordance with W.S. 9-5-112.

(i) On the garden level of the capitol building, rooms in the west half of the capitol building and the room on the northwest corner of the east half of the garden level;

(ii) On the first floor of the capitol building:

(A) The two (2) meeting rooms adjacent to the west wall of the building and the hospitality room contiguous to the north meeting room;

(B) The room on the southeast corner of the west half of the first floor.

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(iii) The second and third floors of the capitol building, inclusive of hallways and stairways on those floors;

(iv) Within the extension from the capitol building to and under the Herschler building, the six (6) meeting rooms, three (3) rooms in the east wing under the Herschler building, dedicated to a learning center, media room and visitor center, and the room designated as a "leg. copy" room on page 34 of the presentation to the capitol building rehabilitation and restoration oversight group on March 9, 2016, which presentation is on file with the legislative service office;

(v) That area on the first floor, west wing of the Herschler building designated as "legislature" on page 35 (bearing the label "Herschler First Floor - Proposed assignments), of the presentation to the capitol building rehabilitation and restoration oversight group on March 9, 2016, and as subsequently reduced on the north side by action of the state capitol building rehabilitation and restoration oversight group on August 22, 2018, as reflected in the minutes of the meeting on file with the legislative service office;

(vi) During legislative sessions, the presiding officers of the house and senate shall have the regulation of passageways on the second and third floors of the capitol building and passageways adjacent to or contiguous with the meeting rooms specified in subparagraph (ii) (A) and paragraph (iv) of this subsection;

(vii) All areas devoted to mechanical systems within the areas specified in paragraphs (i) through (vi) of

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this subsection shall not be considered areas for the conduct of activities of the legislature and shall be managed by the state building commission.

Section 2. W.S. 9-5-109(k) through (r), 9-5-110(a)(i) and (iii), 9-5-111, 9-5-112(b), (d) and (e) and 9-5-113(a)(iii) are repealed.

Section 3. On January 1, 2020, the duties and powers of the state capitol building oversight group under W.S. 9-5-109 through 9-5-113 as to the state capitol building and Herschler state office rehabilitation, restoration and renovation project described in W.S. 9-5-112, shall be assumed by the state building commission. On January 1, 2020 all appropriations, property, contracts, agreements, obligations and authority of the state capitol building oversight group shall be transferred to the state building commission. To the extent a power or duty previously within the authority of the oversight group is required to be exercised after December 31, 2019, the power or duty shall be exercised by the state building commission in accordance with provisions of law governing the project.

Section 4. As the state capitol building and Herschler state office building rehabilitation, restoration and renovation project described in W.S. 9-5-112 is completed, the Legislature finds that investment of state funds should be safeguarded to the fullest extent possible. The first act of the first Legislature of the state of Wyoming conferred upon the presiding officers of the House and Senate the power to regulate "such parts of the capitol and its passages as are or may be set apart for the use of the Senate [and House] and its officers."

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At the time of enactment of this 1890 statute, "passage" was defined as an avenue leading to the various divisions of a building; "a gallery or corridor or hall". The Century Dictionary, 4314 (1889). The word "hall" at that time was defined as a building, large room or compartment of a building devoted to some public or common use. The 1890 law, enacted contemporaneously with the Wyoming Constitution makes clear the authority of the Legislature to oversee common areas of the capitol building connecting its meeting rooms. This is consistent with Wyoming Constitution, Article 3, section 12, which states that the Legislature "shall have all other powers necessary to the legislature of a free state."

The legislature occupies more than half of the state capitol building, the underground extension to the capitol building and a portion of the Herschler building. In the renovation of the capitol building, historic legislative meeting rooms were enlarged to accommodate the public. All but two (2) legislative meeting rooms were removed from the second and third floors of the capitol building to the underground extension and to the first floor of the capitol building. Having appropriated millions of dollars to the project and occupying significant portions of the project for legislative chambers, passages and committee meeting rooms, the legislature has great interest in ensuring that the project area is maintained and utilized to the greatest extent possible and the investment protected. At the same time, since territorial days, the legislature has by law authorized a capitol building commission, comprised of appointed members and later of specified elected officials, to have charge of the capitol building. Concomitantly with that delegation of authority the legislature mandated by law for rooms to be occupied within the capitol building for various officials, often non-elected. In addition to their duties as members of the state building commission, the governor and other

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statewide elected officials occupy significant portions of the capitol building and other spaces within the project area and have resultant interests in those areas.

All elected officials and other occupants are, however, but tenants in the "people's house" and no individual or body representing one (1) branch of government should have the ability to modify the historic nature of the capitol building and other components of the capitol building. Maintenance and potential changes to the capitol building are appropriately overseen by joint action of executive and legislative representatives. With this enactment the legislature intends to ensure that all legitimate interests in the capitol complex are protected, and most significantly safeguard the overarching interest in the preservation of the historic capitol building.

Nothing in this act shall be construed to limit the authority of the governor and treasurer under article 3, section 31 of the Wyoming constitution.

Section 5. If any provision or clause of this act or its application is held invalid, the invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable. It is the legislative intent that the provisions of this section shall be liberally construed.

Section 6.

(a) Except as provided in subsection (b) of this section, this act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

ORIGINAL SENATE
FILE NO. SF0149

ENGROSSED

ENROLLED ACT NO. 77, SENATE

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(b) The provisions of W.S. 9-5-106(e) and (g), as created by section 1 of this act, and the repeal of W.S. 9-5-110(a)(iii), 9-5-111 and 9-5-112(b) under Section 2 of this act are effective January 1, 2020.

(END)



Speaker of the House



President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.



Chief Clerk



March 15, 2018

The Honorable Steve Harshman
Speaker of the House,
Wyoming House of Representatives,
3001 East Pershing Boulevard,
Cheyenne, Wyoming 82001

RE: Line item vetoes on HB0293/ HEA No. 0124 UW student housing

Dear Speaker Harshman,

Student housing at the University of Wyoming has long been an issue needing attention. I commend the Legislature for committing resources to address this concern. While my Office has received a number of emails and letters urging me to veto this bill, I have elected to sign this bill into law. As stated in the bill, we have only one university in the state, and I believe strongly that it is critical to its success as a primary driver of economic development and economic diversification that its housing provisions are kept functional, adequate and attractive. Currently, I believe they are not.

In this case and at this time, while the infusion of money to improve the student housing situation is warranted, in the future there must be better planning. This issue has been simmering for some time and I believe the University can and must do a better job of preparing for alternative approaches to keeping the University competitive. We cannot continue to deplete the state's funds and compromise their investment potential as though they were never ending. Our state funds are finite.

Chief among my concerns with this bill is a drafting error in Section 4, page 8, that was identified by the Legislative Service Office which requires a line item veto in order for the University to use the funds required to defease a portion of the University's existing debt. I have made that corrective veto.

I am also vetoing portions of stricken lines (a), (i), (ii), and (v) under Section 5, Subsection 13. These vetoes restore the appointments of two members of the Senate and two members of the House and reinstate a Governor's appointment to the task force on University of Wyoming housing to preserve the continuity of the existing task force. I have also vetoed in their entirety

Line item vetoes on HB0293/ HEA No. 0124 UW student housing
Page 2

Section 5, Subsection 13, (a), (iii) and (vii) maintaining the efficiency and workable size of the committee as well as assuring adequate representation from the City of Laramie.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Gordon", written in a cursive style.

Mark Gordon
Governor

cc: The Honorable Secretary of State, Edward Buchanan
The Honorable Drew Perkins, President of the Senate
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate

ENROLLED ACT NO. 124, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to the University of Wyoming; providing for phase 1 and phase 2 of the University of Wyoming student housing project; providing for project parameters and requirements; amending the university supplemental bond program; providing legislative findings; providing a loan to defease existing outstanding University of Wyoming bonds; providing a line of credit for initial costs of construction; creating an account; providing an appropriation to the state loan and investment board for grants to the city of Laramie for a traffic study; providing an appropriation for legislative members of the task force; redirecting federal mineral royalties and requiring a corresponding reduction in the university standard budget request; continuing and providing additional duties to the University of Wyoming task force on housing; modifying membership of the task force; removing a moratorium on construction and construction related activities at the University of Wyoming; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1.

(a) The legislature of the state of Wyoming finds that:

(i) As the only university in the state, the University of Wyoming is the cornerstone of higher education in Wyoming, a primary driver of economic development and diversification in Wyoming and critical for the retention of Wyoming youth within the state and the recruitment of talented young people from the region, the nation and the world;

(ii) Critical to the success of the University of Wyoming's mission is appropriate, functional and attractive student housing;

ENROLLED ACT NO. 124, HOUSE OF REPRESENTATIVES

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(iii) The legislature, the citizens of Wyoming and alumni and friends of the University of Wyoming have invested hundreds of millions of dollars in capital construction and renovations at the University of Wyoming. The benefits of these improvements can only be fully realized if students are provided a student life environment on campus which keeps pace with the academic and athletic facilities at the University of Wyoming;

(iv) Given that the current housing is dilapidated and more than fifty (50) years old, it is the one fundamental element of the university that now poses the greatest threat to the future growth of the university;

(v) Given the charge in Article 7, Section 16 of the Wyoming Constitution that instruction at the University of Wyoming be "as nearly free as possible", it is in the interest of the state to provide financial support to the University of Wyoming to develop and construct student housing to enhance the core functions of the university.

Section 2. W.S. 9-4-601(d)(iv) and by creating a new paragraph (ix) and 9-4-1003(a) and (b)(intro) are amended to read:

9-4-601. Distribution and use; funds, accounts, cities and towns benefited; exception for bonus payments.

(d) Except as provided in subsection (k) of this section, any revenue received under subsection (a) of this section in excess of two hundred million dollars (\$200,000,000.00) shall be distributed as follows:

ENROLLED ACT NO. 124, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
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(iv) Subject to ~~paragraph~~ paragraphs (vii) and (ix) of this subsection, two-thirds (2/3) to the budget reserve account;

(ix) For the period beginning July 1, 2019 and ending June 30, 2049, from the amounts that would otherwise be distributed to the budget reserve account under paragraph (iv) of this subsection, the first eight million dollars (\$8,000,000.00) shall be distributed to a separate account for the University of Wyoming. These funds are continuously appropriated to the university upon deposit to the account. The University of Wyoming shall reduce its standard budget request for the 2021-2022 biennium by an amount equal to the maximum amount of funds authorized to be deposited under this paragraph. The University of Wyoming shall acknowledge this reduction of its 2021-2022 budget request pursuant to this paragraph in each standard budget request submitted to the governor's office through June 30, 2048.

9-4-1003. Supplemental coverage program for university revenue bonds.

(a) The state loan and investment board shall administer a university revenue bond supplemental coverage program in accordance with this section and may promulgate rules to implement it. This program applies to bonds issued by the University of Wyoming under W.S. 21-17-402 through 21-17-450. ~~on or before November 1, 2015, only.~~ The program is intended to benefit the university by providing supplemental coverage for payment of bonded indebtedness of the university thereby reducing the interest rate at which the bonds may be issued.

(b) If the university seeks supplemental coverage for its revenue bonds under this program, the university shall

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apply to the board on forms prescribed by the board following legislative authorization of the university to issue revenue bonds. In no case shall the board approve supplemental coverage for bonds if the sale of the bonds would reduce the ratio of university pledged revenue that is available for debt servicing to the cost of interest and principal payments to a level of less than ~~two and five tenths (2.5)~~ one (1) to one (1). The board shall review the application and determine whether to approve the application based upon:

Section 3.

(a) There is created the University of Wyoming student housing project. The project shall be completed in phases, as follows:

(i) Phase 1 of the project shall be intended to replace existing dormitory rooms on the University of Wyoming Laramie campus. Phase 1 of the student housing project shall:

(A) Provide housing for approximately two thousand (2,000) students. Dormitory buildings shall be constructed to accommodate between three hundred (300) and six hundred (600) students each and shall not exceed six (6) stories of above grade, usable, occupiable space. The dormitory buildings may include classroom space, retail space and all necessary student services recommended by the task force on University of Wyoming housing and approved by the trustees;

(B) The dormitory buildings and supporting dining services and other student life facilities shall be constructed on the University of Wyoming campus within the following bounded areas: beginning at the southeast corner of the Wyoming Union, thence northeast to the southeast corner

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of Half Acre Gymnasium, thence north to the east side of McWinnie Hall, following the east side of McWinnie Hall to the southeast corner of the parking lot north of McWinnie Hall, thence west along said south edge of the parking lot to the west edge of the parking lot, thence north along the west edge of the parking lot to the south boundary of Lewis Street, thence west to the intersection of Lewis Street and 13th Street, thence north along 13th Street to Bradley Street, thence east along Bradley Street to the west side of 15th Street, thence south to Sorority Row, thence west to the point of beginning; and the block bounded by Grand Avenue, 14th Street, Iverson Avenue and 15th Street. Dining services shall be provided within the new dormitory buildings, a new dining facility, and in a renovated Wyoming Union extending to the east of that building as determined by the trustees. The area east of the Wyoming Union shall be a common space that accentuates the history, climate and outdoor nature of Wyoming;

(C) Support structures for the student housing project and the university, including, but not limited to, parking garages, campus security and utility stations shall be located north of Lewis Street and south of Flint Street as determined by the trustees. Additional parking garages included in the project may be located on the south side of campus as determined by the trustees. Parking added during the project shall result in a net increase in parking spaces available for use by the university community;

(D) Phase 1 shall include appropriate landscaping and other outdoor amenities to enhance the student living environment, including outdoor recreational activities for students to engage in throughout the entire calendar year;

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(E) In addition, all buildings constructed or renovated in phase 1 shall be constructed in accordance with the report of the task force on University of Wyoming housing submitted on November 1, 2018 to the University of Wyoming board of trustees, the management council and the joint appropriations committee. The report is on file with the legislative service office.

(ii) Phase 2 of the project shall include demolition and renovation of specified buildings and sites within the existing student housing complex north of Grand Avenue, east of 15th Street, west of 19th Street and south of King Row (Ivinson Avenue). All existing buildings in this specified area shall be demolished or otherwise no longer used for student housing when dormitories in phase 1 are ready for occupancy if recommended by the task force and approved by the board of trustees. The task force may recommend, and the board of trustees may determine that some existing buildings in this area be retained, renovated and repurposed to be used as classroom space, office space, reduced dining facility services and student housing alternatives to student housing completed in phase 1 of the project.

(b) All student housing constructed during the project shall:

(i) Strive to create, enhance and sustain living and learning communities on the University of Wyoming campus. The student housing should achieve these goals by providing the appropriate percentage of room types, living spaces and communities, with flexibility for fit and varying price points;

(ii) Conform to the board of trustees' historic preservation plan, be recommended by the task force on

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University of Wyoming student housing, be reviewed by the board of trustees' exterior design committee and be approved by the full board of trustees;

(iii) Include the planning and construction of all necessary components for the new student housing, including:

(A) Construction of appropriate dining facilities to support the new housing and the overall mission of the university;

(B) Demolition or renovation of existing student housing;

(C) Adequate and appropriate parking;

(D) Adequate and appropriate infrastructure;

(E) A traffic plan focusing primarily on pedestrian traffic first and with secondary provisions for emergency vehicle and delivery traffic to accommodate the project.

(iv) Be built in a construction method consistent with an expected useful life span that is appropriate for the mission of the student housing and is similar to the useful life expectancy of the campus buildings in proximity to the new student housing on the university campus.

Section 4. There is created the University of Wyoming student housing account. Funds from the account shall be expended for the University of Wyoming student housing project as provided in this act. The treasurer shall disburse funds from the account upon request of the University of Wyoming board of trustees. Funds in the account appropriated

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under Section 7(b) of this act may only be expended by the trustees of the university for the payment of principal and interest on any outstanding securities issued by the university as of March 1, 2019 and funds appropriated under Section 7(a) of this act may only be expended by the trustees of the university for other initial costs of construction for phase 1 and phase 2 of the student housing project. Funds in the account shall be invested by the state treasurer's office. Notwithstanding W.S. 9-2-1008 and 9-4-207, any earnings from the account shall be credited to the legislative stabilization reserve account. The University of Wyoming shall repay on a twenty (20) year accrual schedule all funds expended by the university from the account at an annually adjusted interest rate of one-quarter of one percent (.25%) higher than the return received by the state in the immediately preceding fiscal year on the portion of the legislative stabilization reserve account that is not invested in equities. The interest rate shall be capped at a maximum rate of four and one-half percent (4.5%) per annum. ~~The aggregate sum of all outstanding loans made from this account shall not exceed fifteen million dollars (\$15,000,000.00), and shall only be expended as provided in this section.~~ All interest and principal payments made by the university in repayment of monies expended from the account shall be credited to the legislative stabilization reserve account. The University of Wyoming board of trustees may dedicate any available funds to repay funds expended from this account. Repayment of funds under this section shall commence on July 1 of the year following the year in which the funds were expended. Notwithstanding any other provision of law, all unobligated and unencumbered funds in the account on June 30, 2029 shall revert to the legislative stabilization reserve account.

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Section 5. 2018 Wyoming Session Laws Chapter 136, Section 13(a), (e), (g) and by creating a new subsection (j) is amended to read:

[TASK FORCE ON UNIVERSITY OF WYOMING HOUSING]

Section 13.

(a) There is created a task force on University of Wyoming housing comprised of the following members, appointed not later than March 31, 2018:

(i) ~~Two (2) members~~ One (1) member of the senate, appointed by the president of the senate;

(ii) ~~Two (2) members~~ One (1) member of the house of representatives, appointed by the speaker of the house;

(iii) ~~One (1) employee or elected official of the executive branch appointed by the governor to serve as his designee member of the legislature, appointed by the management council;~~

(iv) ~~One (1) member appointed by the treasurer who shall be informed of state funding options, state investment goals and public purpose investments;~~

(v) Two (2) members of the board of trustees of the University of Wyoming appointed by the University of Wyoming board of trustees;

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(vi) ~~One (1) member~~ Two (2) members
appointed by the president of the University of
Wyoming;

~~(v) [(vii)] One (1) member appointed by
the governor with experience in providing large
scale private student housing in Laramie;~~

~~(vi) [(viii)] One (1) member appointed
by the governor from the University of Wyoming
foundation with experience in public and private
finance.~~

~~(vii) One (1) member representing the
Laramie Community appointed by the mayor;~~

~~(viii) The Laramie city mayor or a
member of the Laramie city council chosen by the
mayor.~~

(e) ~~The task force shall be staffed by the
legislative service office. The University of
Wyoming shall serve in an advisory capacity to the
task force and shall provide technical and other
relevant information as requested.~~

(g) Members of the task force who are
government employees or public officials shall be
considered on official business of their agency or
of the legislature when performing duties as
members of the task force. There is appropriated
sixteen thousand dollars (\$16,000.00) from the
general fund to the legislative service office.
~~This appropriation shall be for the period
beginning with the effective date of this section~~

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~~and ending June 30, 2019. This appropriation shall only be expended for the purpose of funding salary, mileage and per diem of legislative members of the task force for attendance at meetings of the task force. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2019.~~

(j) After March 1, 2019 the task force shall:

(i) Serve in an advisory role and provide recommendations to the University of Wyoming board of trustees for the development, planning and construction of phase 1 and phase 2 of the student housing project;

(ii) While serving in an advisory role, the task force shall:

(A) Receive and, when necessary, request information from the University of Wyoming facilities construction management department, student affairs office and other relevant and necessary university personnel to stay informed on all aspects of the student housing project;

(B) Closely monitor the procurement of professional services and progress on the planning and design of the student housing project;

(C) When necessary or prudent, make recommendations to the University of Wyoming

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board of trustees and the University of Wyoming
administration regarding any aspect of the student
housing project;

(D) Provide interim reports on the
activities of the task force to the joint education
interim committee not later than October 1 of each
year that the task force is in existence;

(E) Include in each interim report
any recommendations for legislative action that
should be considered during the legislative session
immediately following the report as necessary to
continue, complete or modify any aspect of the
student housing project.

Section 6. 2018 Wyoming Session Laws Chapter 136,
Section 13(f) and (h) is repealed.

Section 7.

(a) There is continuously appropriated not more than fifteen million dollars (\$15,000,000.00) at any one (1) time, except as otherwise provided in this section from the legislative stabilization reserve account to the University of Wyoming student housing account created by this act. Funds from this appropriation may only be expended by the trustees of the university for initial costs of construction for phase 1 and phase 2 of the student housing project.

(b) There is appropriated thirty-four million dollars (\$34,000,000.00) from the legislative stabilization reserve account to the University of Wyoming student housing account created by this act. Funds from this appropriation may only be expended by the trustees of the University of Wyoming for

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the payment of principal and interest on any outstanding securities issued by the university as of March 1, 2019.

(c) There is appropriated three hundred thousand dollars (\$300,000.00) from the general fund to the state loan and investment board to provide grants to the city of Laramie to conduct a traffic study to improve traffic efficiency on 9th Street between Ivinson Avenue and Flint Street and 22nd Street between Grand Avenue and Willett Drive. Funds shall be released under this section by the state loan and investment board to the city of Laramie upon submittal of a traffic study proposal.

(d) There is appropriated forty-four thousand (\$44,000.00) from the general fund to the legislative service office for payment of salary, per diem and mileage for the legislative members of the University of Wyoming student housing task force. Notwithstanding any other provision of law, funds in this account shall revert on June 30, 2020.

Section 8.

(a) The University of Wyoming shall reduce its standard budget request for the 2021-2022 biennium by an amount equal to the maximum amount of funds authorized to be deposited to the account for the University of Wyoming under W.S. 9-4-601(d)(ix) during the biennium.

(b) Not later than September 30, 2020, the University of Wyoming shall transfer to the state treasurer for deposit into the general fund an amount equal to the funds deposited to the account for the University of Wyoming under W.S. 9-4-601(d)(ix) for fiscal year 2020.

ORIGINAL HOUSE
BILL NO. HB0293

ENGROSSED

ENROLLED ACT NO. 124, HOUSE OF REPRESENTATIVES

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Section 9. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

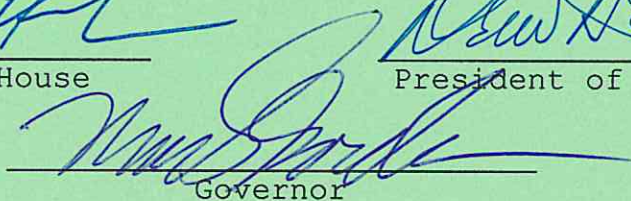
(END)



Speaker of the House



President of the Senate



Governor

TIME APPROVED: 10:55 mt

DATE APPROVED: 15 March 2019

I hereby certify that this act originated in the House.



Chief Clerk



March 15, 2018

The Honorable Drew Perkins
President of the Senate,
Wyoming Senate,
3001 East Pershing Boulevard,
Cheyenne, Wyoming 82001

RE: Line item vetoes on SF0162/SEA No. 0083 State funded capital construction

Dear President Perkins,

Funding decisions over state-funded capital construction were a major hurdle this session. I applaud the Legislature for coming together in the eleventh hour to fund the menu of needed projects.

There are two portions of SF162 that I have chosen for line item vetoes. I have disapproved of a few items and parts of this bill making appropriations of money embracing distinct items. In doing so, wanting to recognize the intent of the Legislature to provide improved legislative meeting space in Casper as well as additional public meeting space, while also acknowledging the complications that would arise from the additional steps required with strict legislative space arising from Article 3, Section 31 of the Wyoming Constitution; I have exercised the Governor's line item prerogative to simplify the language preserving legislative priority for the subject meeting rooms while simultaneously encompassing them into the larger purpose of an improved Casper office building. Specifically, I have addressed the language in Section 4 amending 2018 Wyoming Session Laws, Chapter 136, Section 6 [Casper State Office Building - Appropriation and Advisory Task Force], Subsections (d) (v) and (vi), and Subsection (k) wherein the functions of providing meeting rooms sufficient for the purposes of "joint interim committees of the legislature" are to be included in the level III design, construction, and operation plans of the Casper state office building project. My line item vetoes are detailed below:

- 1) In the amendment to Section 6(d)(v): I have stricken the word “legislative” from the sentence, “Include in each interim report the status of the *legislative* meeting rooms and facilities authorized by subsection (k) of this section and...”
- 2) In the amendment to Section 6(d)(vi): I have stricken the word “legislative” from the sentence, “Closely monitor and make recommendations to the state construction department and any entity procured for professional services on all aspects of the *legislative* meeting rooms and facilities...”
- 3) In the amendment to Section 6(k): I have stricken the word “legislative” from the sentence, “As part of the level III design, construction and operation plans of the Casper state office building project, there shall be located in the building *legislative* meeting rooms and facilities.” Further, I have stricken in its entirety the sentence, “The meeting rooms and facilities shall be under the jurisdiction and control of the legislative service office.”

These changes allay complications arising from the fact that Article 3, Section 31 of the Wyoming Constitution which require contracts related to “...furnishing the halls and rooms used for the meeting of the legislature and its committees...” to be separately approved by the governor and state treasurer. All in all, these changes preserve the intent to create space suited to the purposes articulated in the bill while correspondingly simplifying the Level III process.

In Section 5 [Capitol Complex] I have stricken subsections (b) and (c). The provisions of these subsections are already comprehensively covered in SEA 77/ SF 149 Capitol complex oversight. In particular, SEA 77/ SF 149 created 9-5-101(d), amended 9-5-102(a), amended 9-5-106(d) and created 9-5-106(e) through 9-5-106(g). Among other things, those provisions called for the State Building Commission to oversee the development and creation of a “master plan” for maintenance, preservation, restoration, rehabilitation, construction, and enhancement within the capitol complex. The broad language of this provision already encompasses the ability for the building commission to include the items specified in subsection (b) within the “master plan.” The matters covered in Section 5(b) can be part of any “master plan” considered in 9-5-101(d) which contemplates consultation with and review by the legislature. Section 5(b) is therefore duplicative and strays perhaps too close to the line set forth in Article 2, Section 1 of the Wyoming Constitution.

Line item vetoes on SF0162/SEA No. 0083 State funded capital construction

Page 3

Finally, although I find Section 5 [Capitol Complex], subsection (d) to be unnecessary as the state building commission under its general authority to operate and manage state owned buildings, 9-5-106(a), and the city of Cheyenne already have the authority to enter into memoranda of understanding, it is clearly the intent of the 65th legislature to encourage those communications. Consequently, I will sign the bill with this provision intact and the intent clearly noted.

Sincerely,



Mark Gordon
Governor

cc: The Honorable Secretary of State, Edward Buchanan
The Honorable Steve Harshman, Speaker of the House
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate

ENROLLED ACT NO. 83, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
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AN ACT relating to state funded capital construction; providing definitions; providing appropriations and increasing prior appropriations for purposes related to state funded capital construction; modifying prior appropriations; making certain appropriations subject to specified terms and conditions; providing matching funds for specified projects; authorizing legislative meeting facilities; providing an appropriation for an advisory task force related to state facilities; requiring studies and reports; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1.

(a) As used in this act:

(i) "Appropriation" means the authorizations granted by the legislature under this act to make expenditures from and to incur obligations against the general and other funds as specified;

(ii) "Approved budget" means as defined in W.S. 9-2-1005(e);

(iii) "FF" means federal funds;

(iv) "PR" means private funding sources;

(v) "RA" means the permanent Wyoming mineral trust fund reserve account;

(vi) "SR" means an agency's account within the special revenue fund;

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(vii) "S6" means the school capital construction account within the special revenue fund;

(viii) "T5" means the penitentiary permanent land fund;

(ix) "S10" means the legislative stabilization reserve account;

(x) "S13" means the strategic investments and projects account.

[AMENDMENTS-CAPITAL CONSTRUCTION]

Section 2. 2018 Wyoming Session Laws, Chapter 136, Section 4(a) (i) is amended to read:

[CAPITAL CONSTRUCTION]

Section 4.

(a) The following sums of money are appropriated for the capital construction projects specified. Appropriations for these projects remain in effect until the project is completed, unless otherwise provided. Appropriated funds under this section shall be expended only on the projects specified and any unused funds remaining at project completion shall revert to the accounts from which they were appropriated. The amounts appropriated in this section are intended to provide a maximum amount for each project and shall not be construed to be an entitlement or guaranteed amount:

(i) Appropriations for projects with state funding administered through the state construction department:

ORIGINAL SENATE
FILE NO. SF0162

ENGROSSED

ENROLLED ACT NO. 83, SENATE

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUNDS \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 027. CAPITAL CONSTRUCTION PROJECTS				
PROGRAM				
SBC Contingency	9,000,000			9,000,000
NWCCD- Health Science Bldg.	385,000			385,000
LCCC- PE Building Reno			7,300,000 PR	7,300,000
NWCC- Performing Arts Ctr. ¹⁺	<u>495,000</u>		<u>495,000</u> PR	<u>990,000</u>
	294,500		149,500 PR	444,000
NWCC- Student Center ¹⁺	<u>550,000</u>		<u>550,000</u> PR	<u>1,100,000</u>
	282,500		137,500 PR	420,000
LCCC- Albany Cty Campus			1,300,000 PR	1,300,000
CC- Visual Arts Bldg. ^{1.,2.}	5,750,000		5,750,000 PR	11,500,000
CC- Ag & Equine Center ^{1.,3.}	2,000,000		2,000,000 PR	4,000,000
WWCC- Mechanical Repairs ^{4.}	<u>1,071,200</u>			<u>1,071,200</u>
	3,131,200			3,131,200
LCCC- Fine Arts Bldg. ^{1.}	7,000,000		7,000,000 PR	14,000,000
Mil- Cheyenne Readiness		28,900,000		28,900,000
Mil- Guernsey Readiness		22,300,000		22,300,000
Mil- Guernsey Air Tower		17,000,000		17,000,000
DFS- Maghee Bldg. Remodel ^{2.}	<u>2,170,000</u>			<u>2,170,000</u>
	2,230,000			2,230,000
State Parks- Health/Safety			4,300,000 SR	4,300,000
State Parks- Terr. Prison			210,000 SR	210,000
State Parks- Water Fac.			770,000 SR	770,000
DOC- WSP Repairs and Contingency ^{5.,6.}			8,184,125 T5	8,184,125
State Facilities Const. ^{7.}			7,500,000 RA	7,500,000
			7,500,000 S10	15,000,000
State Facilities - Casper ^{8.}	5,000,000			5,000,000
LCCC- Crossroads			1,200,000 PR	1,200,000
OSLI- Fire Academy Lvl II	<u>300,000</u>			<u>300,000</u>
WDH- Veteran's Home I & II	<u>600,000</u>			<u>600,000</u>
NWCC- Cody Hall			3,000,000 PR	3,000,000
NWCCD- Health Science Bldg.	6,718,104		6,718,105 PR	13,436,209
NWCCD- Culinary Arts	<u>2,181,984</u>		<u>2,181,984</u> PR	<u>4,363,968</u>
DOC- WSP Roof Replacement	4,219,973			4,219,973
DOC- Honor Farm Admin Bldg.	250,000			250,000
CWC- Ag & Animal Science	<u>3,926,792</u>		<u>3,926,792</u> PR	<u>7,853,584</u>
WDH-WLRC Abatement ^{10.}	<u>3,500,000</u>			<u>3,500,000</u>
Capitol Contingency & Enhancements ^{11.}			3,000,000 S13	3,000,000
TOTALS	<u>33,421,200</u> <u>56,770,053</u>	68,200,000	<u>54,059,125</u> <u>72,128,006</u>	<u>155,680,325</u> <u>197,098,059</u>

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1. As a condition of this general fund appropriation, the community college to which the funds are appropriated shall expend the entire appropriation of other funds prior to the release of any general funds appropriated for purposes of the authorized capital construction project.
2. Casper College shall complete requirements specified in footnotes 1 and 3 of this section for the Casper College-Agriculture and Equine Center appropriation before release of the general fund appropriation for the Casper College-Visual Arts Building.
3. For the Casper College-Agriculture and Equine Center, any funds expended pursuant to 2014 Wyoming Session Laws, Chapter 26, Section 3, Section 006, footnote 5, up to seven hundred fifty thousand dollars (\$750,000.00), shall be considered expenditures of other funds for purposes of footnote 1 of this section if the Casper College-Agriculture and Equine Center is constructed on the property acquired from that expenditure.
4. Of this general fund appropriation, five hundred thousand dollars (\$500,000.00) shall only be expended upon a determination by the governor, in consultation with Western Wyoming Community College and the state construction department, that insufficient appropriations are available to address emergency repair needs related to building system failures at the college.
5. Of this other funds appropriation, three million one hundred eighty-four thousand one hundred twenty-five dollars (\$3,184,125.00)T5, or as much thereof as is available, is effective immediately and shall be expended on water mitigation projects, maintenance and repairs at the Wyoming state penitentiary recommended pursuant to the penal facility peer review study conducted under 2017 Wyoming Session Laws, Chapter 120, Section 332 and on file with the legislative service office.
6. Of this other funds appropriation, five million dollars (\$5,000,000.00)T5, or as much thereof as is available, shall be expended for operations, major maintenance, capital construction, repairs or inmate relocation in the event hazardous conditions resulting from subsurface movement or other building failure at any correctional facility of the department of corrections warrants an immediate response. Expenditures of the appropriation subject to this footnote shall be made only upon the approval of the governor after consultation with the joint appropriations committee. The department of corrections shall report quarterly to the joint appropriations committee on expenditures made from this appropriation subject to this footnote. Any unexpended, unobligated funds remaining from

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the appropriation subject to this footnote shall revert as provided by law on June 30, 2020.

7. Funds from this appropriation shall be deposited in the state facilities construction account. This appropriation shall be effective immediately.

8. Funds from this appropriation shall be deposited to the Casper state facilities account created in W.S. 9-4-223.

9. Of this general fund appropriation, sixty thousand dollars (\$60,000.00) shall only be expended for costs of abatement associated with the remodel of the Maghee building in Fremont County.

10. Funds from this appropriation shall be deposited into the state facilities construction account. In addition to amounts appropriated in 2017 Wyoming Session Laws, Chapter 78 and 2018 Wyoming Session Laws, Chapter 136 for the Wyoming state hospital and Wyoming life resource center, up to three million five hundred thousand dollars (\$3,500,000.00) from the state facilities construction account is appropriated for abatement activities at the Wyoming life resource center.

11. Of this other funds appropriation, three million dollars (\$3,000,000.00) shall only be expended for contingencies for the capitol building rehabilitation and restoration project. If any unexpended, unobligated funds remain after addressing all contingencies for the capitol building rehabilitation and restoration project, this other funds appropriation shall only be expended for completing the unfinished legislative spaces in the capitol building and the capitol extension.

[HEALTH FACILITIES TASK FORCE]

Section 3. There is appropriated forty thousand dollars (\$40,000.00) from the general fund to the legislative service office. This appropriation shall only be expended for the purpose of funding salary, mileage and per diem of legislative members of the joint legislative and executive task force on department of health facilities as constituted in 2017 Wyoming Session Laws, Chapter 78. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by

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SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
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law on June 30 of the year following the year in which construction and renovation at the Wyoming state hospital and Wyoming life resource center is complete and the facilities are occupied.

[AMENDMENTS - CASPER STATE OFFICE BUILDING - LEGISLATIVE
MEETING FACILITIES]

Section 4. 2018 Wyoming Session Laws, Chapter 136, Section 6(d)(v), by creating a new paragraph (vi) and by creating new subsections (k) and (m) is amended to read:

[CASPER STATE OFFICE BUILDING -
APPROPRIATION AND ADVISORY TASK FORCE]

Section 6.

(d) The task force shall serve in an advisory role and provide recommendations to the executive branch of government for the procurement of professional services and completion of a level II feasibility study, as described in W.S. 9-5-108(a)(ii), level III construction and operation plans, as described in W.S. 9-5-108(a)(iii), and construction of the Casper state office building project. While serving in an advisory role, the task force shall:

(v) Include in each interim report the status of the ~~legislative~~ meeting rooms and facilities authorized by subsection (k) of this section and any recommendations for legislative action that should be considered during the legislative session immediately following the report as necessary to continue or complete the Casper state office building project; *nlp*

ENROLLED ACT NO. 83, SENATE

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(vi) Closely monitor and make recommendations to the state construction department and any entity procured for professional services on all aspects of the ~~legislative~~ meeting rooms and facilities authorized by subsection (k) of this section. *mb*

(k) As part of the level III design, construction and operation plans of the Casper state office building project, there shall be located within the building ~~legislative~~ meeting rooms and facilities. The meeting rooms and facilities shall consist of two (2) meeting rooms with all necessary components to accommodate meetings of joint interim committees of the legislature and such additional areas and facilities as necessary to support the intended functions of the meeting rooms. The meeting rooms and related facilities shall be located in an area of the building that provides for ease of public access and does not unduly disrupt the intended uses of the other occupants of the building. ~~The meeting rooms and facilities shall be under the jurisdiction and control of the legislative service office.~~ *mb* Legislative use of the meeting rooms and facilities shall be given first priority, but the rooms and facilities shall be open for use by the executive branch occupants of the building and compatible use by the public. Subject to legislative prioritization, these spaces shall be managed to maximize use for all authorized users and purposes as provided in this subsection. The meeting rooms and facilities shall be designed, constructed, finished, furnished and equipped to provide:

(i) Necessary committee dais space for at least fourteen (14) committee members and necessary staff;

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(ii) Appropriate accommodations for witnesses and seating for between thirty-five (35) and one hundred (100) members of the public;

(iii) Appropriate information technology and audio-visual infrastructure and equipment necessary to provide speech reinforcement, video monitor presentation capability, audio conferencing capability, audio streaming and raceway for future video camera locations to livestream committee meetings from the room;

(iv) All other appropriate space, areas, facilities, infrastructure, furnishings and equipment necessary to support the intended functions of the meeting rooms.

(m) All necessary expenditures for the meeting rooms and facilities authorized by subsection (k) of this section shall be funded from the appropriation authorized in subsection (j) of this section. If the state construction department and any entity procured for professional services find that additional funds are necessary to complete the meeting rooms and facilities, and the task force recommends the expenditure of additional funds, the task force may include requests for an additional appropriation in its interim reports.

[CAPITOL COMPLEX]


Section 5.


(a) The state loan and investment board shall consult with the city of Cheyenne to identify the most efficient means to construct a stormwater interceptor to protect the capitol

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building and Herschler building from surface and subsurface stormwater runoff. Upon agreement between the board and the city on the most efficient means to construct the interceptor and after the city's presentation to the board of plans to undertake necessary construction, the board may grant the city not more than three million dollars (\$3,000,000.00) to construct the stormwater interceptor. The project may provide protection for other facilities or residences in the city but shall be designed primarily to provide protection to the capitol building, Herschler building and other state facilities. Of the unobligated, unencumbered balance in the construction management flex contingency account, most recently appropriated to in 2015 Wyoming Session Laws, Chapter 142, Section 345, there is appropriated three million dollars (\$3,000,000.00) to the state loan and investment board. This appropriation shall only be expended for purposes of this subsection. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2020.

~~(b) The state building commission shall consult with the city of Cheyenne and the state capitol building rehabilitation and restoration oversight group to provide a long range plan for the capitol building and grounds and the immediately surrounding area. The plan shall be designed to contribute to the historic integrity of the capitol building and its grounds and surrounding neighborhoods while also recognizing and accommodating security measures necessary to protect the capitol building as a working capitol building. The plan shall:~~ 

~~(i) Provide for traffic control on roads and streets by providing limited or restricted motor vehicle access to roads and streets as determined appropriate by application of best security practices;~~ 

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~~(ii) Provide for safety of tourists, students, other visitors and workers crossing roads and streets to the capitol building, Herschler building, supreme court building and other state buildings adjacent to these buildings;~~ *MB*

~~(iii) Make accommodation for tour and school buses and other vehicles of visitors to the capitol building.~~ *MB*

~~(c) To the extent the state building commission adopts a master plan for the capitol complex as provided in 2019 Senate File 0149, as enacted into law, the long range plan recommended under this section shall be incorporated into that master plan.~~ *MB*

(d) The state building commission and the city of Cheyenne may enter into memoranda of understanding to modify, reroute or otherwise limit access to streets within the capitol complex as defined in 2019 Senate File 0149, as enacted into law, to further the purposes of the long range plan specified in this section. The commission shall promptly report all memoranda of understanding entered into under this subsection to the legislature.

(e) For purposes of this section, "streets" means as defined in W.S. 15-6-101(a)(v).

ORIGINAL SENATE
FILE NO. SF0162

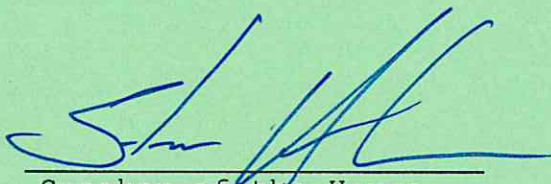
ENGROSSED

ENROLLED ACT NO. 83, SENATE

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2019 GENERAL SESSION

Section 6. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)



Speaker of the House



President of the Senate



Governor

TIME APPROVED: 10:50 mt

DATE APPROVED: 15 March 2019

I hereby certify that this act originated in the Senate.



Chief Clerk



March 15, 2018

The Honorable Secretary of State, Edward Buchanan
Secretary of State's Office
2020 Carey Avenue, 6th Floor
Cheyenne, Wyoming 820021

RE: Veto of HB0251/HEA No. 0117 Coal export terminal litigation

Dear Secretary Buchanan,

Article 1, Section 8 of the United States Constitution clearly articulates that only the Congress shall have the power "To regulate Commerce with foreign Nations and among the several States..." It is also clear that coal produced in Wyoming has played an important role in fueling our nation's economy. Wyoming and her people have benefitted from coal produced in, used in, and exported from our state. Moreover, Wyoming coal is generally better for the environment than many other coals currently being burned around the world especially in the Asian markets. In fact, Powder River coal has helped to reduce harmful emissions from coal-fired electric generating facilities domestically and abroad. Moreover, it should not be forgotten, companies mining coal in the Powder River Basin have restored the land after mining in a way that is far superior to the practices of any other nation on this planet.

Wyoming's ability to market one of its most abundant natural resources is fundamental to our state's economy. Wyoming has never shirked her responsibilities to assure her industries have unrestricted access to the global marketplace. The importance of trade to our nation's and several state's economic health lies at the center of Article 1, Section 8 and is essential to our state's future.

I agree with the declaration in House Bill 251 that the unhindered export of coal is critical to the economic and proprietary interests of the state of Wyoming as well as the economic wellbeing of Wyoming citizens. Indeed I specifically mentioned my belief that the improper use of regulation by Washington State constituted a restraint of trade in my State of the State address in January. Thus, I likewise share the view that "the production, sale, and consumption of coal contributes greatly to Wyoming's economy," and is furthermore a vital component of interstate commerce, the global economy, and an important part of overall energy supply.

For the record, the State of Wyoming, acting through its executive branch, has a long history of recognizing the importance of the coal industry to the State. Previous governors and the Attorney General's Office have undertaken numerous efforts to protect Wyoming's interests related to coal. For example, among other actions, Wyoming was significantly involved in the coalition to challenge the Clean Power Plan and received an unprecedented stay of the Obama Administration's greenhouse gas emissions regulation from United States Supreme Court. The State of Wyoming additionally intervened in a challenge by several environmental groups to the Bureau of Land Management's coal leasing program. The district court ruled in Wyoming's favor, dismissing the challenge and the State continues to participate on appeal. The State has pursued cases supporting the lifting of the Obama administration's coal moratorium, defending mine plan amendments related to Wyoming coal operations and numerous other coal and "coal adjacent" matters such as Waters of the United States and Stream Protection. I have highlighted just a few examples, but it is fair to say that as the assaults on the coal industry have increased, so have our efforts to protect Wyoming's interests through legal action. My administration will vigorously defend our State's industry and economy in concert with that tradition.

Currently, the State is actively involved in litigation regarding coal export terminals. In 2018, following various state-level permit denials related to the proposed Millennium Bulk Terminal in Washington State, Lighthouse Resources filed suit in the United States District Court for the Western District of Washington alleging, among other things, that various Washington State officials improperly exercised political influence in an attempt to effectively kill the Millennium coal export facility. Specifically, Lighthouse alleges that Washington State decision-makers were biased against coal. One of the primary arguments is that Washington State officials violated the Dormant Commerce Clause of the United States Constitution by discriminating against out-of-state commerce, i.e., coal's access to markets.

Currently, Wyoming is leading a coalition of landlocked states defending our right to trade freely. Along with several other state partners, Wyoming filed an amicus curiae (friend of the court) brief in support of Lighthouse on March 11. Rest assured, efforts are already underway to assert that Washington State officials have violated the Dormant Commerce Clause and emphasize the harm to interior states from exclusionary policies against disfavored commodities like coal. Our efforts are well regarded by our peers and indeed constitute an important part of a potentially decisive issue because of our work assembling this coalition of affected states.

In this regard and with due respect to the eagerness evinced by the Wyoming Legislature this past session, it is, nonetheless, essential that the State of Wyoming speak with one voice at this critical

juncture in the coal export case. Giving courts the impression that two branches of Wyoming's government might be second-guessing one another – in fact potentially litigating over the top of one another – would be counterproductive to our best efforts to protect Wyoming's interests. It is unclear whether dueling legal claims would yield a better result for Wyoming than if these matters were handled as they have been traditionally by the executive whose responsibility it is to execute the laws the legislature passes. Furthermore, dividing the limited resources of Wyoming's Attorney General between two potentially contemporaneous cases would do a disservice to both at the expense of Wyoming.

I understand and applaud the desire of the legislature to be ever vigilant in protecting the economic interests of the State and its citizens. I share that same dedication and zeal for assuring that Wyoming is not harmed by the actions of other states. Even so, I can see no compelling reason for potentially confusing the courts, complicating matters at hand, disrupting the coalition of states friendly to our perspective, or introducing reasons to delay an expeditious hearing of the case currently before the court. Consequently, I am vetoing HB 251.

Nothing in Wyoming's or the coalition's current approach precludes the state from pursuing the remedy the legislature requests in due course should the present action not yield a remedy sufficient to Wyoming's cause. We are united, the legislature and the executive, in our desire to do our best to protect Wyoming's interests. Rest assured if the efforts already underway are unsuccessful, I will be tireless in exercising every legal option to assert Wyoming's access to markets worldwide.

This bill, however, carves an unprecedented path -- absent compelling reason -- encouraging the legislature to take a potentially different course from that that the State is already pursuing. The obvious confusion this could engender is at best problematic at worst fatal.

I am unaware of another instance where the legislature has undertaken litigation of this sort. Indeed, I question the legislature's authority to prosecute this type of legal action which has nothing to do with the exercise of its plenary power. It is the responsibility of the executive branch to carry out the laws the legislature passes and that includes pursuing legal actions related to Wyoming's laws and interests. Furthermore, separately prosecuting this course of action would present significant practical and constitutional challenges for Wyoming's proudly part-time citizen legislature to navigate.

I commend your recognition of the importance of the coal industry to the State of Wyoming. I admire and share your commitment to pursuing all legal avenues available to the State to ensure

our right to interstate commerce is not impeded. It is clear that we all understand the importance of this issue and are unwavering in our determination to protect Wyoming's economic interests and prevent the harm created by interference with interstate commerce.

Sincerely,



Mark Gordon
Governor

cc: The Honorable Steve Harshman, Speaker of the House
The Honorable Drew Perkins, President of the Senate
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate

ENROLLED ACT NO. 117, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to the legislature; authorizing the legislature or management council to commence and prosecute a lawsuit for the denial of permits for the construction of coal export terminals; providing legislative findings; creating an account; providing an appropriation; transferring funds as specified; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1.

(a) The legislature finds that:

(i) Wyoming is the largest producer of coal in the United States;

(ii) The production, sale and consumption of coal contributes greatly to Wyoming's economy;

(iii) The Wyoming legislature is responsible for the appropriation and expenditure of state funds, a substantial portion of which is generated by the production, sale and consumption of coal, for the needs of the state and its citizens. These responsibilities constitute significant institutional interests;

(iv) The export of coal is vital to interstate commerce, the global economy, the economic and proprietary interests of the state of Wyoming, the institutional interests of the Wyoming legislature and the economic interests of Wyoming citizens;

(v) Proper prosecution of a lawsuit to recover damages or obtain declaratory relief to remedy the state of Washington's denial of requisite permits for the construction

ENROLLED ACT NO. 117, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

of coal export terminals in that state may be necessary to prevent further harm of serious magnitude to the economic and proprietary interests of the state of Wyoming, the economic interests of Wyoming citizens and the institutional interests of the Wyoming legislature;

(vi) The economic interests of Wyoming citizens and the institutional interests of the Wyoming legislature will continue to be harmed if construction of coal export terminals is further delayed due to action by the state of Washington. Therefore, the Wyoming legislature, in light of its broad powers granted under the Wyoming constitution and as a co-equal branch of state government, may have a sufficient interest in the prosecution of such a lawsuit to provide the legislature standing to bring a lawsuit against any state which impedes our right to interstate commerce and to recover damages or obtain declaratory relief.

(b) Notwithstanding W.S. 9-1-603(a)(i) and 28-8-114(b), the legislature, by a majority vote of the members of both houses when in session, or management council, by a majority vote of its members during the interim and in coordination with the governor, may between the effective date of this act and August 1, 2019 commence and prosecute an action for damages or declaratory relief against any state or other state entity that has impeded Wyoming's right to interstate commerce to export Wyoming coal. After August 1, 2019 and during the interim, management council by a majority vote of its members and with or without coordination with the governor may commence and prosecute an action as provided in this subsection. The legislature or management council may retain private counsel to commence and prosecute the action.

Section 2.

ENROLLED ACT NO. 117, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

(a) There is created the coal export terminal litigation account. Two hundred fifty thousand dollars (\$250,000.00) shall be appropriated from the general fund to this account. Funds from this account shall only be expended to retain private counsel to prosecute an action for damages or declaratory relief against any state that has impeded Wyoming's right to interstate commerce to export Wyoming coal and for associated litigation expenses. Funds within the account shall not be expended without further legislative appropriation. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any funds within the account and any interest earned thereon shall not lapse or revert until directed by the legislature.

(b) Of the general fund appropriation to the governor's office under 2014 Wyoming Session Laws, Chapter 26, Section 334(h) for purposes specified in 2014 Wyoming Session Laws, Chapter 26, Section 334(k)(i), reappropriated under 2016 Wyoming Session Laws, Chapter 31, Section 303(f), including appropriations specified for activities associated with promotion or litigation related to coal ports and further reappropriated under 2018 Wyoming Session Laws, Chapter 134, Section 303(f), ninety-nine thousand five hundred forty-two dollars (\$99,542.00), or as much thereof as is available shall be transferred to the coal export terminal litigation account created in subsection (a) of this section. The state auditor shall execute this transfer, if any, not later than April 1, 2019. The general fund appropriation in subsection (a) of this section shall be reduced by an amount equal to the total transfer, if any, under this section.

ORIGINAL HOUSE
BILL NO. HB0251

ENGROSSED

ENROLLED ACT NO. 117, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)



Speaker of the House




President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.



Chief Clerk



March 15, 2018

The Honorable Secretary of State, Ed Buchanan
Secretary of State's Office
2020 Carey Avenue, 6th Floor
Cheyenne, Wyoming 82002

RE: Veto of HB0120/ HEA No. 0105 Energy production inventory exemption

Dear Secretary Buchanan,

House Bill 120 offers an innovative approach to promoting economic development and perhaps setting a better climate in Wyoming for storing certain new, unused equipment related to energy production by exempting it from taxation. HB 120 is an example of an idea that could help capture additional revenue for our state that might otherwise be flowing elsewhere. While I recognize the point of the bill, I am not sure the bill's potential unintended consequences have been fully explored or understood clearly enough in its implementation. This bill has consequences the dimensions of which we cannot fully calibrate and which may in time present unforeseen economic repercussions.

HB 120 narrowly targets an exemption for energy production equipment, but does not define or explain what is meant by energy production equipment. Additionally, in a time when the state is struggling to find revenue for funding education and other essential services of state government, it seems unwarranted to grant a tax exemption that could well scramble the equitable distribution of sales and property tax revenues between counties. The windfall some counties might experience could well result in deficits for others obliging the state to support those less fortunate to an unknown extent.

Nonetheless, the original purpose of the exemption was for economic development and to attract the storage of wind turbine equipment to a yard in Natrona County. Subsequently, other energy production equipment was added to gather support for the bill. However, much of the latter category of equipment already comes into the state on a "just-in-time" basis where it is currently stored and taxed. Thus, this exemption for non-wind related equipment would be of marginal value in promoting additional economic development.

The exemption might well encourage more storage of not-yet-used wind generating equipment in Wyoming, but herein lies the challenge outlined above: Since the exemption for the property tax would apply to the equipment in a "laydown yard," the sales tax would be due in that county regardless of where the equipment might ultimately be deployed. Thus, the sales and use tax that might have been anticipated in the county where the turbines are ultimately erected would instead be paid to the county where that equipment was stored. Towers erected in Carbon County, for example, might have paid taxes in Natrona County depriving the Carbon County of revenues needed to offset the impacts of the development.

Finally, since there is no reliable estimate of the fiscal implications to taxing authorities that depend on these property tax dollars, I believe, that while maybe meritorious, this act is not yet ready. A bill which potentially reduces a revenue resource heavily dedicated to funding education represents a gamble we cannot afford to take at this time. Nevertheless, understanding the intent of this bill is to discourage the out-of-state storage of equipment destined for Wyoming and acknowledging the value of this proposition, I encourage the legislature to continue to refine this bill in the interim.

I have allowed other bills that I considered partially flawed to proceed into law. In doing so, I have offered suggestions on ways an act might be improved. In this case, recognizing that tax exemptions have a tendency to become indelible components of our tax code regardless of merit, I would submit that any exemption should be fully vetted and corrected before being implemented. The legislative history of HB 120 is unsettled enough to recommend more consideration before placing this exemption into our tax code. Thus, I have vetoed HB 120.

Because I believe this bill deserves attention, I would like to reiterate my desire to see the legislature review this bill in the interim with an eye to better understanding ways to mitigate against the potentially undesirable and unforeseen consequences of this proposed tax exemption. Ultimately, I want to express my deep appreciation to the 65th Legislature's commitment to finding better ways to encourage economic activity in Wyoming.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Gordon", with a long horizontal flourish extending to the right.

Mark Gordon
Governor

cc: The Honorable Steve Harshman, Speaker of the House
The Honorable Drew Perkins, President of the Senate
Chief Clerk, Wyoming House of Representatives
Chief Clerk, Wyoming Senate

ORIGINAL HOUSE
BILL NO. HB0120

ENROLLED ACT NO. 105, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to ad valorem taxation; providing an exemption for the storage of energy production equipment prior to installation in this state; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 39-11-105(a) by creating a new paragraph (xlii) is amended to read:

39-11-105. Exemptions.

(a) The following property is exempt from property taxation:

(xlii) Property that is temporarily stored in this state prior to the first installation of the property as energy production equipment in this state, if Wyoming sales or use tax is paid on the property at the rate imposed in the county where the property is stored. The county assessor or department may require any documentation necessary to verify that property is eligible for the exemption under this paragraph. As used in this paragraph, "energy production equipment" means any specialized equipment designed specifically for use in the production of energy from natural gas, coal, oil, wind, solar, hydro or nuclear sources but shall not include any equipment used to store or transport energy products, mobile energy product equipment, standard building materials, construction equipment or other equipment or materials that will not be directly used in the production of energy.

ORIGINAL HOUSE
BILL NO. HB0120

ENROLLED ACT NO. 105, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

Section 2. This act is effective July 1, 2019.

(END)



Speaker of the House



President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.



Chief Clerk